

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

FRANK J. MARTONE, P.C.

Christian Del Toro, Esq.

1455 Broad Street

Bloomfield, NJ 07003

(973) 473-3000

Attorney for Creditor/Servicing Agent

PNC BANK, NATIONAL ASSOCIATION

36.8573

In re:

SANDRA J MAY AKA SANDRA JOYCE

MAY DBA SHAYBRY ENTERPRISES, LLC

T/A BOUNCE U

Case No. 19-27812

Judge: Jerrold N. Polusny Jr.

Chapter 13

OBJECTION TO CONFIRMATION BY SECURED CREDITOR
CONFIRMATION HEARING DATE: December 18, 2019 - 10:00 AM

On behalf of PNC PNC BANK, NATIONAL ASSOCIATION, Secured Creditor of a mortgage on debtor(s)' property, 590 LIVEZEY STREET, PHILADELPHIA, PA 19128, FRANK J. MARTONE, P.C., hereby objects to the confirmation of debtor(s)' proposed plan for the following:

1. The bar date for filing Proofs of Claim is November 27, 2019. Secured Creditor has not yet filed its Proof of Claim but anticipates doing so shortly. Secured Creditor reserves the right to amend this Objection to Confirmation.
2. The Debtor's proposed Chapter 13 Plan proposes to refinance of the property known as 590 Livezey Street, Philadelphia, PA 19128, which secures the debt owed to the Secured Creditor. According to Debtor's proposed Chapter 13 Plan, Debtor intends to cure existing arrearage by refinancing the property with Secured Creditor by the completion date of September 2024; however, the Debtor cannot modify the loan without the consent of the Secured Creditor. The completion date for the loan modification was listed as 2024 which is five years from the bankruptcy filing. The Debtor will need to apply for Loss Mitigation prior to the 2024 deadline.
3. According to Debtor's proposed Chapter 13 Plan, Secured Creditor is to be paid \$400.00 over five (5) years.

4. The Debtor's Schedules I and J indicate an excess income of \$681.00. The debtor(s) cannot afford to pay this Secured Creditor's Proof of Claim and the Proof of Claim(s) of the other Secured Creditor(s) over a five (5) year plan.

5. Such a plan leaves the Secured Creditor inadequately protected in that its claim will not be fully satisfied.

6. It is for the foregoing reasons that attorney for the Secured Creditor respectfully objects to the Confirmation of the debtor's Chapter 13.

I hereby certify that the foregoing statements made by me are true and correct to the best of my knowledge, information and belief. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

By: /s/Christian Del Toro
Christian Del Toro, Esq.
A Member of the Firm

Dated: 10/30/19

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)
FRANK J. MARTONE, P.C. 1455 BROAD STREET BLOOMFIELD, NJ 07003 (973) 473-3000 bky@martonelaw.com Attorneys for Secured Creditor/Servicing Agent PNC BANK, NATIONAL ASSOCIATION 36.8573
In re: Sandra J May aka Sandra Joyce May dba Shaybry Enterprises, LLC t/a Bounce U

Case No. 19-27812

Chapter 13

Judge Jerrold N. Poslusny, Jr.

CERTIFICATION OF SERVICE

1. I, Melissa Uhlmann, am the Legal Assistant for Christian Del Toro, Esq., who represents PNC BANK, NATIONAL ASSOCIATION in the above captioned matter.
2. On November 14, 2019, I sent a copy of the following pleadings and/or documents to the parties listed in the chart:

Objection to Confirmation
3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

/s/ Tracy Garcia
Tracy Garcia

Dated: November 14, 2019

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Sandra J May Aka Sandra Joyce May Dba Shaybry Enterprises, LLC t/a Bounce U 9 Brandywine Court EGG HARBOR TOWNSHIP, NJ 08234	Debtor(s)	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*)
Eric Clayman, Esq., 412 White Horse Pike Audubon, NJ 08106	Debtor(s) Attorney	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*)
Isabel Balboa, Esq. 535 Route 38, Suite 580 Cherry Hill, NJ 08002	Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*)
		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*)

*May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.